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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,227	08/28/2003	Liam Mannion	920476-94734	6366
23644 7590 03/23/2007 BARNES & THORNBURG LLP P.O. BOX 2786 CHICAGO, IL 60690-2786			EXAMINER NGUYEN, MY XUAN	
			ART UNIT 2617	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS		MAIL DATE 03/23/2007	DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/650,227	<b>Applicant(s)</b> MANNION ET AL.	
	<b>Examiner</b> My X. Nguyen	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This action is in response to applicant's amendment filed on 12/28/2006.

Claims 1-4, 6-8 and 10-15 are now pending in the present application. This action is made **final**.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 6-8 and 10-15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent 5,915,012 (Miloslavsky).

Regarding claims 1, 3 and 10-12, Miloslavsky discloses the claimed:

a) receiving a contact at any one of the contact centers, said any one of the contact centers being designated a source contact center with respect to the received contact (Fig. 2 Elements 162, 164 & 180, Col. 2 Lines 30-33 & Col. 5 Lines 5-9);

b) sending a reservation request from the source contact center to each of the contact centers including itself at the same time, said reservation request

Art Unit: 2617

being for an agent with a specified relative intrinsic value (Col. 2 Lines 30-52 & Col. 6 Lines 46-56);

c) for said reservation request, receiving at the source contact center from each of one or more of the contact centers, a value of the specified intrinsic and an associated agent identifier (Col. 2 Lines 30-52 & Col. 6 Lines 46-56);

d) routing the received contact to one of the agents on the basis of the received intrinsic (Col. 2 Lines 41-45).

Regarding claim 2, Miloslavsky discloses the claimed specified intrinsic is selected from nodal longest idle agent, average answer delay and calls queued count (Col. 2 Lines 33-38 & Col. 6 Lines 46-56).

Regarding claim 4, Miloslavsky discloses claimed canceling unused reservations (Col. 2 Lines 30-52, it is inherent that an unused reservation is canceled).

Regarding claim 6, Miloslavsky discloses the claimed receiving at the source contact center is carried out in a pre-specified time interval (Col. 6 Lines 52-65).

Regarding claim 7, Miloslavsky discloses the claimed contact is associated with a specified network skillset and wherein said reservation request

Art Unit: 2617

is also for agents of that specified skillset (Col. 2 Lines 30-52, Col. 6 Lines 46-56 & Col. 7 Lines 50-65).

Regarding claim 8, Miloslavsky discloses the claimed determining at the source contact center a network longest idle agent (Col. 7 Lines 54-58).

Regarding claim 13, Miloslavsky discloses the claimed contact centers comprises a contact center server and a switch (Fig. 2 Elements 168, 182, 170 & 184).

Regarding claim 14, Miloslavsky discloses the claimed contact center servers being linked to one another by a first part of said communications network (Fig. 2 Elements 190 & 192) and said switches being linked to one another by a second part of said communications network (Fig. 2 Element 188), said first and second parts being substantially isolated from one another (Fig. 2).

Regarding claim 15, Miloslavsky discloses the claimed contact center server is connected to its associated switch using a dedicated embedded local area network connection (Fig. 2 Elements 172 & 186).

### ***Response to Arguments***

Art Unit: 2617

2. Applicant's arguments with respect to claims 1-4, 6-8 and 10-15 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant should note claims 1-4, 6-8 and 10-15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent 5,915,012 (Miloslavsky).

Detail of the rejections of claims 1-4, 6-8 and 10-15 are found above in the current Office Action.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,687,241 B1 (Goss), Enterprise contact server with enhanced routing features.

U.S. Patent 5,291,552 (Kerrigan et al.), Distribution of calls among automatic call distributors of a single large customer.

U.S. Patent 5,450,482 (Chen et al.), Dynamic network automatic call distribution.

U.S. Patent 5,754,639 (Flockhart et al.), Method and apparatus for queuing a call to the best split.

U.S. Patent 6,377,975 B1 (Florman), Methods and systems to distribute client software tasks among a number of servers.

Art Unit: 2617

U.S. Patent 5,987,117 (McNeil et al.), Method of dynamic load sharing between systems with automatic telephone call distributors.

U.S. Patent 5,299,259 (Otto), Distributing calls over serving centers of a large customer.

U.S. Patent 5,555,299 (Maloney et al.), Method and system for transferring calls and call-related data between a plurality of call centers.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My X. Nguyen whose telephone number is

Art Unit: 2617

(571) 272-2835. The examiner can normally be reached on Monday through Friday at 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.X.N.  
03/16/2007



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